

Mayor and Council Communication

DATE: 03/25/25

M&C FILE NUMBER: M&C 25-0245

LOG NAME: 12LUIS ANGEL ARELLANO AND MANUEL ARELLANO SETTLEMENT

SUBJECT

(ALL) Authorize Settlement and Payment in the Total Amount of \$140,000.00 for Full and Final Settlement of All Claims Related to the Lawsuit Styled *Luis Angel Arellano and Manuel Arellano v. City of Fort Worth, Texas*, Cause No. 348-350374-24, in the 348th District Court, Tarrant County, Texas, Adopt Appropriation Ordinance and Authorize City Personnel to Execute and File the Necessary Documents to Dispose of this Lawsuit

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize settlement and payment in the total amount of \$140,000.00 to Luis Angel Arellano and Manuel Arellano, and their attorney, Andrew Poulis, Herrman & Herrman, P.L.L.C., for full and final settlement of all claims related to the lawsuit styled *Luis Angel Arellano and Manuel Arellano v. City of Fort Worth, Texas*, Cause No. 348-350374-24, in the 348th District Court, Tarrant County, Texas;
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Risk Financing Fund in the amount of \$140,000.00, from available net position, for the purpose of funding lawsuit expenses; and
3. Authorize the appropriate City personnel to execute all releases, agreements and court filings necessary to complete the settlement.

DISCUSSION:

Luis Angel Arellano and Manuel Arellano, Plaintiffs in the above-entitled and numbered cause, allege that on or about July 6, 2023, they received personal injuries resulting from a collision at the Intersection of Rosedale Street and Evans Avenue in Fort Worth, Tarrant County, Texas. Luis Angel Arellano and Manuel Arellano further allege that the negligence of the City of Fort Worth was the proximate cause of the accident.

On February 20, 2024, a suit was filed against the City in the above-entitled and numbered cause, as a result of such accident and all injuries and damages allegedly suffered by Luis Angel Arellano and Manuel Arellano.

The parties mediated the matter on February 11, 2025. Under the circumstances, it is the best interest to the City to settle all issues related to Luis Angel Arellano and Manuel Arellano's claims for \$140,000.00.

Approval of this settlement should not be construed as an admission of liability by the City of Fort Worth, as any liability in this matter is denied.

Funding is available for appropriation from the net position of the Risk Financing Fund. The beginning net position balance is \$30,703,249.48 and after appropriation the new net position balance will be \$30,563,249.48.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available from net position of the Risk Financing Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the Risk Financing Fund. Prior to an expenditure being incurred, the Human Resources Department and the City's Attorney Office have the responsibility of verifying the availability of funds.

Submitted for City Manager's Office by: ALL ACMs 6122

Originating Business Unit Head: Leann Guzman 8973

Additional Information Contact: Leann Guzman 8973